

# Exhibit C

(Complaint)

**FILED**  
**IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA**

**KEENA POOLE,**

**Plaintiff,**

**v.**

2019 DEC -3 PM 3:56

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**CIVIL ACTION NO.:**

19-C-536

**HONORABLE:** /s/ GREGORY L. HOWARD, JR.

**TARGET CORPORATION, a Minnesota  
Corporation d/b/a Target Barboursville  
Store No. 1478,**

**Defendant.**

**COMPLAINT**

Comes now the Plaintiff, Keena Poole, by and through her counsel, Robert D. Cline, Robert A. Campbell, Letisha R. Bika and the law firm of Farmer, Cline & Campbell, PLLC, and hereby states as follows for her Complaint:

**JURISDICTION AND VENUE**

1. Plaintiff Keena Poole, (hereinafter "Mrs. Poole" or "Plaintiff") is a resident of Flatwoods, Greenup County, Kentucky.
2. Defendant Target Corporation is, upon information and belief, a foreign corporation operating Target Store No. 1478 that conducts business in, among other places, Barboursville, Cabell County, West Virginia.
3. Upon information and belief, the Defendant has an ownership interest and/or control and/or has a responsibility for maintaining the Target Store No. 1478 operations and/or premises located in Barboursville, Cabell County, West Virginia.

4. This Court has jurisdiction and is the proper venue for this action as the Plaintiff's cause of action results from an injury that occurred on property owned and/or maintained by the Defendant, who is doing business in Cabell County, West Virginia.

### **FACTS**

5. Plaintiffs incorporate allegations 1 through 4 by reference and as fully alleged herein.

6. On December 6, 2017, Plaintiff was shopping at Target Store No. 1478 located in Barboursville, West Virginia when she encountered a pallet that had been left in the floor as she rounded a corner to enter an aisle, which caused her to fall and suffer severe injuries to her body.

7. Prior to falling, Mrs. Poole was not aware that the pallet was in the floor.

### **COUNT I**

#### **Negligence/Premises Liability**

8. Plaintiff incorporates allegations 1 through 7 by reference and as fully alleged herein.

9. The Defendant owes a duty to the general public to act with reasonable care and to maintain Target Store No. 1478 in a reasonably safe condition.

10. The Defendant breached its duty by allowing a trip hazard to exist on the floor, by failing to warn customers of the hazardous condition, and by failing to employ appropriate protective measures to ensure that such hazardous conditions would not exist without proper warning to the customers.

11. The Defendant had actual and/or constructive knowledge of the trip hazard and the unreasonable risk of harm that it posed to its invitees, including Mrs. Poole.

12. The Defendant's wrongful conduct constitutes careless, negligent, willful, wanton, and/or reckless conduct.

13. As a proximate result of her injuries, Mrs. Poole has incurred, and will incur in the future, substantial general and special damages, including but not limited to:

- (a) medical expenses;
- (b) pain and suffering;
- (c) physical limitations and permanent impairment;
- (d) diminished capacity to enjoy life;
- (e) annoyance and inconvenience;
- (f) other consequences and damages associated with her injuries as may be specified as this action progresses.

WHEREFORE, the Plaintiff requests that she be awarded judgment against the Defendant for the following:


- (a) compensatory damages in an amount to be determined by a jury;
- (b) punitive damages, to the extent such damages may be warranted by the evidence and permitted by applicable law;
- (c) pre and post judgment interest as allowed by law;
- (d) attorneys' fees, costs, and expenses incurred in connection with this action; and
- (e) such other and further relief as this Court deems just and appropriate under the circumstances.

**PLAINTIFF DEMANDS A JURY TRIAL ON ALL ISSUES SO TRIABLE.**

**KEENA POOLE**

**Plaintiff,**

**By Counsel:**



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